



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION V  
230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604

EPA Region 5 Records Ctr.



351326

REPLY TO ATTENTION OF:

JAN 19 1984

Mr. Neil F. Hartigan  
Attorney General  
State of Illinois  
160 North LaSalle Street  
Chicago, Illinois 60601

Dear Mr. Hartigan:

Mr. Adamkus has asked me to respond to your letter of January 19, 1984, concerning the test burn of cyanide contaminated chips in Naperville. Inasmuch as C.E. Raymond's contract to conduct the burn is with your office, I interpret your letter as an expression of your intention to direct the contractor to delay the burn for one week, and as notification to the U.S. Environmental Protection Agency (EPA), that our sampling and analytical services are not required as originally scheduled.

Of course, since any sampling and analysis must necessarily await the commencement of the burn, I will direct U.S. EPA personnel not to proceed further at this time. We will make every effort to reassemble the necessary personnel and reschedule our efforts for one week from the original date, or for such other date as may be appropriate.

Please keep us advised as to the progress of this matter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Alan Levin".

Alan Levin  
Acting Regional Administrator

cc: Michael W. Hartman  
Ronald Rohlicek  
Richard Carlson

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180 North LaSalle Street  
Chicago, IL 60601-3173



**NEIL F. HARTIGAN  
ATTORNEY GENERAL  
STATE OF ILLINOIS**

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Criminal Appeals Division - Rm. 300  
Environmental Control Division - Rm. 2315  
Public Utilities Division - Rm. 2315

186 West Randolph Street  
Chicago, IL 60601-3084

January 19, 1984

Writer's Direct Dial Number  
(312) 793-

RECEIVED  
JAN 19 1984  
OFFICE OF REGIONAL  
ADMINISTRATOR

Mr. Valdas Adamkus,  
Regional Administrator  
United States Environmental Protection Agency  
230 South Dearborn  
Chicago, Illinois

Dear Mr. Adamkus:

At the request of Senator James Philip, Senator John Grotberg and Representative Mary Lou Cowlshaw, I am asking you to delay the test burn in Naperville one week to afford the legislators sufficient time to determine the feasibility of alternative sites and alternative technologies. It would also permit them sufficient time to review concerns raised by a local group of scientists and to permit the IEPA and USEPA once again the opportunity to present the safety precautions that are embodied in the permits the two governmental agencies have issued. The present permits expire on February 11 and the test burn will take about six days so a short delay could accommodate the time frame built into the permits.

Your cooperation would be greatly appreciated. If you have any questions, please contact me.

Sincerely,

*Neil F. Hartigan*  
Neil F. Hartigan  
Attorney General

cc: Michael W. Hartman  
Ronald Rohlicek  
Richard Carlson

FOR IMMEDIATE RELEASE

For further information call Martha Cleveland (312) 793-3118 or  
David Curry (312) 793-3174

CHICAGO, ILLINOIS, January 19, 1984 -- At the request of Senator James Philip, Senator John Grotberg and Representative Mary Lou Cowlshaw, Attorney General Neil F. Hartigan has asked United States Environmental Protection Agency, Illinois Environmental Protection Agency, C-E Raymond and Radian to delay the test burn in Naperville one week to afford the legislators sufficient time to determine the feasibility of alternative sites and alternative technologies. It would also permit them sufficient time to review concerns raised by a local group of scientists and to permit the IEPA and USEPA once again the opportunity to present the safety precautions that are embodied in the permits the two governmental agencies have issued. The present permits expire on February 11 and the test burn will take about six days so a short delay could still accommodate the time frame built into the permits.

"The federal and state Environmental Protection Agencies have assured me that this test burn will be safe," Hartigan said. "Nonetheless, I am asking for this delay so that further efforts can be made to address the concerns of citizens in the area. The intention here is to resolve an environmental problem, not to cause one, and we want this to be perfectly understood by everyone involved."

The Attorney General announced that he had invited Michael Fitzsimmons, the State's Attorney of DuPage County, to a hearing held last Tuesday before Judge Green in the Circuit Court of Cook County at which Seymour Levine, Regional Manager of the Division of Air Pollution, reviewed the permits and the proposed burn and the safety precautions that had been taken.

Representatives from the IEPA and USEPA were also available for Mr. Fitzsimmons to consult. Mr. Levine's report indicated that only fractions of an ounce of cyanide would be incinerated at any point in time and that, even if all safety precautions failed, the concentration of cyanide in the air would be less than that to which, under OSHA standards, a worker could be exposed continuously over an eight hour period.

The Attorney General reiterated that his paramount concern was that of safety, a concern echoed by Judge Green, the agencies and all the public officials who have been involved in the matter. However, a decision on the test burn must be reached expeditiously since the citizens of Lee County and Cook County also have a stake in finding a safe method to dispose of the cyanide chips.